IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO. 178 OF 2004.

Sapna Ceramics Pvt. Limited,
a Company duly registered
under the Companies Act, 1956
having its registered office
at Nanu House, Varde Valaulikar
Road, Margao, represented by
its Director Shri Sandesh K.
Naik, r/at "Rajgad", A. D'Costa
Road, Margao. ... Petitioner.

Versus

1. The Deputy Collector &
   SDO, Ponda.
2. The Administrative
   Tribunal, Goa, Panaji. ... Respondents.

Mr. M.S. Sonak, Advocate for the Petitioner.

Mr. A.N.S. Nadkarni, Advocate General with Mr. H.D. Naik, Additional Government Advocate for the Respondents.

Coram : S.A. BOBDE, J.

Date : 17th June 2004.

ORAL JUDGMENT.

Rule, returnable forthwith. Heard by consent.

2. The petitioner challenges the Order of the Administrative Tribunal, dated 22nd March 2004, in Miscellaneous Application No. 93/2003/STAY/LRA, declining to accept the petitioner's prayer for securing the amount of conversion fees by way of bank guarantee in stead of direct payment of the same. The petitioner's main contention before the Tribunal is that the Land Revenue Code, which requires permission of the use of the land for non-agricultural purpose is not

applicable to his land, since the land had already been put to non-agricultural use before the coming into force of the Land Revenue Code. Without prejudice, the petitioner sought to apply for conversion of the land under the Land Revenue Code, however, upon furnishing a bank guarantee for the amount of conversion charges and not actual payment of conversion charges. The Tribunal had rejected this request. I see no infirmity either jurisdictional or otherwise in the Order of the Tribunal. The Order, therefore, does not call for any interference. However, having regard to the fact that the Tribunal has kept the matter for final disposal in the month of August 2004, I consider it expedient in the interest of justice to direct the Tribunal to decide the matter on or before 15th September 2004. Petition disposed off accordingly. Rule discharged.

(S.A. BOBDE)
JUDGE.

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